

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA**

LIGTEL COMMUNICATIONS, INC.,

Plaintiff,

v.

BAICELLS TECHNOLOGIES INC.;  
BAICELLS TECHNOLOGIES NORTH AMERICA  
INC.,

Defendants.

Case No. 1:20-cv-00037-HAB-SLC

**MOTION FOR ENTRY OF ORDER FOR PRELIMINARY INJUNCTION**

Plaintiff LigTel Communications, Inc. moves this Court for an order granting LigTel's motion for a preliminary injunction and entering a preliminary injunction against Defendants BaiCells Technologies Inc. and BaiCells Technologies North America Inc. (collectively, "BaiCells"), or in the alternative, giving BaiCells notice that a preliminary injunction will issue if BaiCells does not respond to the motion for preliminary injunction within seven days.

On January 21, 2020, LigTel filed its Complaint seeking to enjoin BaiCells from holding itself out as LigTel by using LigTel's Home Network Identity number without authorization, and from misappropriating and threatening misappropriation of LigTel's trade secrets. Dkt. 1. LigTel also moved for a preliminary injunction because, absent this Court's intervention, LigTel is suffering and will continue to suffer irreparable harm as a result of BaiCells's actions. *See* Dkt. 4. Specifically, BaiCells's actions cause "service providers to wrongly believe that LigTel is improperly interfering with their networks and failing to follow international and industry-imposed telecommunications rules, which harms LigTel's standing, reputation, and goodwill in the industry." *Id.* at 1. BaiCells's actions also "cause immeasurable damage to the security and

integrity of LigTel's network," "create a serious and substantial risk that law enforcement will be unable to obtain critical information," and "may cause LigTel's customers to question LigTel's ability to maintain and control its own network and secure their personal information and private communications." *Id.* A preliminary injunction is therefore appropriate because without one LigTel will suffer irreparable harm for which it has no adequate legal remedy, LigTel will likely succeed on the merits of its unfair competition and trade-secret misappropriation claims, and the balance of equities favors an injunction. *See id.* at 8-14.

On January 22, 2020, BaiCells was served with the Complaint and Motion for Preliminary Injunction. Dkt. 10, 11. Pursuant to Local Rule 7-1(d)(3)(A), BaiCells's response to the Motion for Preliminary Injunction was due on February 5, 2020. As of this filing, BaiCells has not responded to the Motion for Preliminary Injunction, filed an appearance in this matter, or otherwise contacted LigTel or counsel for LigTel.

Because BaiCells has failed to respond to the Motion, the Court may enter the Order attached, preliminarily enjoining BaiCells from its ongoing violations of the Lanham Act, federal trade secrets law, and Indiana state law. *See* Local Rule 7-1(d)(5). In the alternative, LigTel respectfully requests that the Court issue an order notifying BaiCells that failure to respond to LigTel's Motion for Preliminary Injunction within seven days will result in entry of a preliminary injunction.

Dated: February 7, 2020

Respectfully submitted,

/s/ Gabriel K. Gillett

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 7, 2020, I caused the foregoing document to be filed electronically with the Clerk of the Court using the CM/ECF system and emailed a proposed order to [brady\\_chambers@innd.uscourts.gov](mailto:brady_chambers@innd.uscourts.gov) per this Court's CM/ECF User Manual, and sent a paper copy of the foregoing document and proposed order to the following defendants at the following addresses:

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BaiCells Technologies North America Inc.  
555 Republic Drive, Suite 200  
Plano, TX 75074

DATED: February 7, 2020

/s/ Gabriel K. Gillett